

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS

3 UNITED STATES OF AMERICA,)
4 Plaintiff,)
5 v.) No. 4:18-cr-40043-JPG
6 KURT F. JOHNSON,) Benton, Illinois
7 Defendant.)

TRANSCRIPT OF PROCEEDINGS
BEFORE THE HONORABLE J. PHIL GILBERT
UNITED STATES DISTRICT JUDGE

SEPTEMBER 14, 2018

FINAL PRETRIAL CONFERENCE/MOTION HEARING

APPEARANCES:

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25 (Recorded by mechanical stenography, produced by computer)

1 (Proceedings began in open court at 10:03 a.m.)

2 *****

3 THE CLERK: *United States of America v. Kurt F.*
4 *Johnson*, case #18-40043. This matter comes before the Court
5 on a Final Pretrial Conference. Are the parties ready?

6 MR. QUINLEY: The United States is ready, Your Honor,
7 good morning, appearing this morning by Assistant United
8 States Attorney Michael Quinley. Present at counsel table
9 with me, Your Honor, are Forensic Analyst Clinton Bigham of
10 the FBI, and an intern with the Southern District of Illinois,
11 Mr. Brian Earl.

12 THE COURT: Let the record show that the Defendant,
13 Kurt F. Johnson is present *Pro Se*. This matter comes before
14 this Court on a Final Pretrial. Trial is scheduled for
15 September 24th. Mr. Johnson, I think this is the first time
16 you have appeared before me, is that correct?

17 DEFT. JOHNSON: Yes, but I would like to object to
18 the *Pro Se*--

19 THE COURT: Can you speak into the mic?

20 DEFT. JOHNSON: Yes, I would like to object to the
21 *Pro Se*, because we are still trying to determine, as far as
22 I'm concerned, the status of the accused. I haven't been able
23 to--

24 THE COURT: The status of what?

25 DEFT. JOHNSON: Of the accused. I brought this up at

1 the arraignment, which was the last time that, you know, I was
2 in this courtroom.

3 THE COURT: The status of the accused. Well, you are
4 the accused, you are the Defendant in this case.

5 DEFT. JOHNSON: That's a presumption, as far as I'm
6 concerned.

7 THE COURT: Well, that ship has sailed. So, I guess
8 one question I'm going to ask you is do you wish -- can you
9 afford to hire legal counsel? Do you wish the Court to
10 appoint legal counsel to represent you in this criminal
11 matter?

12 DEFT. JOHNSON: I'm going to have to say that ship
13 has sailed.

14 THE COURT: Can you move that mic down closer to his
15 mouth so I can -- There you go.

16 DEFT. JOHNSON: I'm going to say that ship has
17 sailed.

18 THE COURT: So, that ship has sailed, too.

19 DEFT. JOHNSON: Yeah.

20 THE COURT: Well, I can call that ship back to the
21 dock.

22 DEFT. JOHNSON: Okay.

23 THE COURT: Okay. So, do you wish the Court to
24 appoint legal counsel to represent you, either as standby
25 counsel, if you want to -- You have the right to appoint

1 yourself *Pro Se*, I can appoint standby counsel to assist you
2 in things like jury selection, evidence presentation, or I can
3 -- or I could -- if you wish for legal counsel to be appointed
4 for you, I will do so.

5 DEFT. JOHNSON: No, thanks.

6 THE COURT: Pardon?

7 DEFT. JOHNSON: No, thank you.

8 THE COURT: No, thank you. Okay. Let me inquire as
9 to your -- Have you been in court before? I mean, well,
10 obviously you have, because you are incarcerated.

11 Do you have any kind of legal training at all?

12 DEFT. JOHNSON: No.

13 THE COURT: Why do you want to represent yourself?

14 DEFT. JOHNSON: Well, again, I'll object to that
15 status, but I don't need an attorney. That's all.

16 THE COURT: You just don't need an attorney?

17 DEFT. JOHNSON: No.

18 THE COURT: Have you been involved in any trials
19 before as a Defendant?

20 DEFT. JOHNSON: Yes.

21 THE COURT: Were you represented by counsel in those
22 cases?

23 DEFT. JOHNSON: No.

24 THE COURT: And how many trials have you been
25 involved in as a Defendant?

1 DEFT. JOHNSON: A half a dozen or so.

2 THE COURT: Half a dozen?

3 DEFT. JOHNSON: Yeah.

4 THE COURT: So, you are at least somewhat familiar
5 with court procedures, is that correct?

6 DEFT. JOHNSON: That's correct.

7 THE COURT: Have you been involved in a jury trial
8 before?

9 DEFT. JOHNSON: Yes.

10 THE COURT: Representing yourself?

11 DEFT. JOHNSON: Yes.

12 THE COURT: Okay. So, you know the process of
13 selecting a jury?

14 DEFT. JOHNSON: Yes.

15 THE COURT: Okay. Well --

16 DEFT. JOHNSON: Again, this was affirmed on appeal.

17 THE COURT: Pardon?

18 DEFT. JOHNSON: I said the competency was affirmed on
19 appeal, so I think we are all right on that.

20 THE COURT: Okay. What is the level of your
21 education?

22 DEFT. JOHNSON: 7th grade.

23 THE COURT: Have you had any education programs while
24 you have been incarcerated?

25 DEFT. JOHNSON: No, thank you.

1 THE COURT: Obviously you can speak the English
2 language. Can you read and understand the English language?

3 DEFT. JOHNSON: Yes.

4 THE COURT: Are you on any medication?

5 DEFT. JOHNSON: No.

6 THE COURT: You don't take any medication?

7 DEFT. JOHNSON: No.

8 THE COURT: And how old are you now?

9 DEFT. JOHNSON: 55.

10 THE COURT: Okay. And how long have you been
11 incarcerated?

12 DEFT. JOHNSON: This is my 14th year.

13 THE COURT: Your 14th year?

14 DEFT. JOHNSON: Correct.

15 THE COURT: Okay. All right. Well, the Court's
16 going to find that the Defendant has waived his -- does not
17 seek to have legal counsel represent him, that he is competent
18 to represent himself, he has had experience in courtroom
19 procedures before and having been involved in jury trials, and
20 so the Court's going to allow him to represent himself *Pro Se*.

21 We do have several motions pending. There's a motion
22 to issue subpoenas. First, I quashed many of the first
23 requests for subpoenas on August 21st. Another batch came in
24 on August 24th, and then you filed another motion on August
25 30th that explains why each request on both batches is

1 necessary. And I think with the exception of the subpoena of
2 your mother, Mr. Johnson, I denied all those subpoenas.

3 I want you to explain to the Court why you need these
4 subpoenas and what's the purpose of their relevance to the
5 allegations against you in this indictment.

6 DEFT. JOHNSON: So, it's my understanding that you
7 denied 18 already.

8 THE COURT: Yes.

9 DEFT. JOHNSON: 18 of the 19?

10 THE COURT: Yes.

11 MR. QUINLEY: Excuse me, Your Honor. We only have a
12 record of seven, and the quashing of six. We have never seen
13 any additional subpoenas.

14 THE COURT: There's only seven?

15 LAW CLERK: No, there's more.

16 (Brief interruption in proceedings).

17 THE COURT: There was 19.

18 MR. QUINLEY: We have never been provided with copies
19 of the additional 12. I don't know if that's because we are
20 not entitled to them or --

21 THE COURT: They were scanned in. I mean, they were
22 uploaded to ECF, is that correct, Richard? Go ahead and talk.

23 LAW CLERK: The motion was made on, I believe, August
24, ECF Document 13.

25 MR. QUINLEY: Yes, we saw the motion, but we have

1 never received the subpoenas.

2 LAW CLERK: You have never received copies of those?

3 MR. QUINLEY: No.

4 LAW CLERK: We have paper copies up here.

5 MR. QUINLEY: Thank you.

6 THE COURT: Do you want a minute to look those over,

7 Mr. Quinley?

8 MR. QUINLEY: Yes, please, Your Honor. And, for the
9 record, I don't know if these are in a particular order.

10 LAW CLERK: Those are the order in which we received
11 them. It's just the direct print-off as we received them.

12 MR. QUINLEY: I think some of them are from the first
13 seven.

14 LAW CLERK: There may be some overlap. I believe
15 William True overlaps and a few others, but there are some new
16 ones, as well.

17 MR. QUINLEY: All right. Thank you.

18 Thank you, Your Honor. A number of these are new
19 subpoenas, and we would -- if the Court wishes to review each
20 of them with Mr. Johnson, we would be ready to --

21 THE COURT: These are ones I have already -- Are
22 these ones I already ruled on?

23 LAW CLERK: There's two batches. The first batch
24 you've already ruled on, and the second batch which Mr.
25 Quinley now has you have not ruled on.

1 THE COURT: So, it's the second batch that I have not
2 -- The first batch I have ruled upon?

3 LAW CLERK: Yes.

4 THE COURT: And you understand you have the rulings
5 on the first batch, Mr. Quinley?

6 MR. QUINLEY: That's correct. They were provided
7 directly by the Clerk of Court, directly, Kara.

8 THE COURT: The only one I didn't quash was the one
9 to Mr. Johnson's mother.

10 MR. QUINLEY: We didn't object to the subpoena to his
11 mother or the things requested that his mother produce under
12 the 17(c) subpoena in advance of trial, but we raised
13 objections to the other six and the Court ruled. But, on
14 these 12, Your Honor, I think they could be addressed with
15 Mr. Johnson in the context of this hearing, if it pleases the
16 Court to do it in that fashion.

17 THE COURT: Right; okay. Mr. Johnson, do you wish to
18 address the second batch of subpoenas that you have requested?

19 DEFT. JOHNSON: Well, I put in another request for
20 the issuance, when I went over each one, but I think -- Are we
21 going to go over the first six again?

22 THE COURT: Who's the first one to?

23 DEFT. JOHNSON: Well, I have got in my pleading it's
24 Elaine Duke, which is -- as the officer for the Department of
25 Homeland Security, and I believe that she was pertinent to

1 this case, because they provided someone at the World Court
2 proceedings to represent the Department of Homeland Security.

3 THE COURT: Are you talking about the first batch?

4 DEFT. JOHNSON: Yeah, I guess.

5 THE COURT: Okay. Let me --

6 DEFT. JOHNSON: I'm going off the seven-page request
7 for subpoenas that I supplied.

8 THE COURT: Okay. All right. I think I've got it
9 now, Mr. Johnson.

10 DEFT. JOHNSON: Okay.

11 THE COURT: Elaine Duke.

12 DEFT. JOHNSON: Right. And I am using her name
13 because I think she's the current Director of the Department
14 of Homeland Security. And the Department of Homeland
15 Security, to my knowledge, provided somebody at the World
16 Court proceedings, and the World Court proceedings were
17 absolutely pertinent to this particular indictment.

18 THE COURT: Why?

19 DEFT. JOHNSON: Because the presumption is that
20 there's no such judgment and proceedings were proved that
21 there was a judgment, or at least that there were proceedings,
22 and so that's absolutely core to the particular accusation.

23 THE COURT: Do we want to address this one at a time,
24 Mr. Quinley?

25 MR. QUINLEY: Yes, if I may.

1 THE COURT: Yes.

2 MR. QUINLEY: I think there's something fundamental
3 to what the Government believes should be the basis for the
4 Court's ruling. Mr. Johnson has filed a number of -- I'll
5 call them *processes*.

6 THE COURT: Call them what?

7 MR. QUINLEY: He has created instruments by which he
8 seeks admissions of fact, and on these documents that he's
9 created he purports that they have gone to a large number of
10 named individuals and also to John Does.

11 Now, the more recent processes have been to a very
12 large number of the employees of the Bureau of Prisons, but
13 earlier he's had a process to this Elaine Duke with the
14 Department of Homeland Security. And in these, I call them
15 written processes that he creates, he says that if not
16 responded to, certain facts are admitted. And he lists out
17 the facts.

18 Now, these facts are the bases for his claim. And
19 this is a procedure that he's used in previous efforts
20 directed to the Court in the Southern District of
21 California -- or the Central District of California, where he
22 creates a document that looks like a legal document, and he
23 sends it out and, of course, these are not responded to, and
24 he alleges in the document if not responded to within the
25 latest, or within three days, then everything in it is

1 admitted.

2 THE COURT: Kind of like an admission of facts?

3 MR. QUINLEY: Admission of facts, that's it. He
4 cites to a rule in the Rules of Civil Procedure.

5 Now, he has in this district -- And he refers
6 specifically to the two court numbers. There are two cases
7 that the Court could take judicial notice of that were handled
8 one by Judge Rosenstengel and one by Judge Reagan. So, they
9 were opened civil matters. And in one of those two
10 proceedings that were dismissed in East St. Louis, he refers
11 to this judgment of the World Court, and he says that it's in
12 Appendix A, but the only thing in Appendix A is a cause
13 number, a cause number that he has written onto his Request
14 for Admissions to all the Bureau of Prisons officials.

15 Just like in the Court in California where he says
16 his damage was \$7,200,000, now in this instrument that
17 underlies this current proceeding he says that his damage is
18 15 billion, plus 2 billion each year that the CMUs remain in
19 operation in Terre Haute and in Marion.

20 So, he's up to 21 million.

21 THE COURT: Billion.

22 MR. QUINLEY: Excuse me. 21 billion. However, he
23 has discharged one billion of the \$21 billion debt so he could
24 find 1099Cs on all these various Bureau of Prisons officials,
25 because these are all admitted facts. And, in fact, in

1 addition to this initial instrument that he created, he has a
2 subsequent instrument where again directed, I believe, to
3 Elaine Duke, that if not responded to, it's admitted that
4 there's this World Court proceeding, that there's this
5 judgment, and Ruth Donoghue of the World Court, a Justice of
6 the World Court entered it, the various dates, that there was
7 an appeal, that there was a Government representative of the
8 United States representing the United States in the World
9 Court. And, Your Honor, I think you can take judicial notice
10 of the fact that the United States doesn't recognize, let
11 alone the fact that the International Court of Justice is an
12 organ created by the United Nations Charter, it sits in the
13 Hague in the Netherlands. It is an instrument created to
14 settle disputes between states. Now, this can refer to
15 treaties between states, and I think this is how Mr. Johnson
16 has tried to, you know, basically say that they had his case
17 and decided his case, because he cites to a treaty, a treaty
18 that the Library of Congress cannot locate or produce. The
19 Library of Congress, in fact, did respond through an
20 intermediary to Mr. Johnson's inquiry, but the United States
21 Supreme Court in 2008 in *Medellin v. Texas* -- and this was a
22 treaty between the United States and Colombia, or a foreign
23 state, you know, about counselor rights and about a person has
24 to be advised of their counselor rights, and there was an
25 attempt to enforce that treaty obligation of the United States

1 in the International Court of Justice in the Hague, and the
2 Supreme Court pointed out that since 2005, the President of
3 the United States has withdrawn United States accession to the
4 jurisdiction of the United Nations Court of Justice.

5 So, even though it's impossible that -- Well, one,
6 there's never been any proceeding there. There are just these
7 instruments where Mr. Johnson believes he has created
8 admissions of what are, I think the Court will recognize, some
9 pretty -- I forget what the exact word in the English language
10 is -- fantastical allegations that Mr. Johnson cloaks with
11 legal language and with this demand of process and rights, and
12 I think, Your Honor, in good faith the United States can
13 attack the position and will take the position with regard to
14 a number of these subpoenas that they are not being requested
15 of the Court in good faith and that the Court would have the
16 authority in its discretion to quash them as we go through
17 them one by one, particularly with regard to Elaine Duke.

18 And I don't know Mrs. Duke. I know that the current
19 Secretary of the Department of Homeland Security is Kirstjen
20 Nielsen, but I think the -- I think given the whole history of
21 Mr. Johnson's conduct in creating what he then used as a debt
22 obligation of the warden and the intelligence officer to file
23 involuntary bankruptcy petitions, which is the reason why we
24 are here now on a criminal proceeding, I think the Court would
25 have it within its discretion rather than entertaining that

1 Mr. Johnson is doing this in good faith, that with regard to
2 some of the particular subpoenas -- and I don't mean to
3 blanket all of them, but with regard to some of them that they
4 are not in good faith.

5 Many of the others we have provided the discovery
6 that has been requested, but we would have to go through that
7 one by one, because we haven't reviewed these 12. So, I
8 apologize to not being able to advise the Court better. And I
9 think if we do take them one by one -- But, starting with the
10 first one to Elaine Duke, Secretary of Homeland Security, the
11 Government would oppose that. We believe it's not offered in
12 good faith, because there's no good faith reason for anyone to
13 believe that there are any records at the Department of
14 Homeland Security having anything to do with Mr. Johnson's
15 self-created allegations.

16 THE COURT: Do you want to respond, Mr. Johnson?

17 DEFT. JOHNSON: Sure. That's quite a yarn, I can
18 tell you that, but completely factually inaccurate.

19 First off, the processes that he talks about are
20 governed by international treaty. They are not just some
21 inmate whipping stuff up in his cell. What he's
22 mischaracterizing is really a bunch of facts that are
23 irrelevant to this particular situation.

24 He's mixing Rule 36 admissions and civil procedures
25 that had nothing to do with this particular transaction. And

1 I'm sure you guys are familiar with Rule 36 admissions. This
2 process, the administrative procedures, the international --
3 governed by treaty international procedures, function -- can
4 function like Rule 36 admissions. They are not governed by
5 Rule 36, and in this particular situation they had a chance to
6 answer and they chose not to, and so it did work like a
7 default admission. But, it wasn't governed by Rule 36, it was
8 governed by the international treaty. And in that
9 international treaty, the International Court of Justice or
10 World Court has original jurisdiction.

11 Elaine C. Duke, I think, is a director, not the
12 Secretary of the Department of Homeland Security. To my
13 knowledge there was a proceeding in the courts governed by the
14 treaty and not by rules, Federal Rules of Civil Procedure,
15 Rule 36. In that particular proceeding the United States
16 apparently felt that they were obligated to be present and
17 sent, I believe, a gentlemen by the name of Andrew Feirstein
18 to the hearing to represent the Department of Homeland
19 Security, and he filed a Notice of Abatement and an injunction
20 to enjoin the enforcement of the judgment until such time as
21 the abatement hearing was heard.

22 I have given very specific facts in the bankruptcy
23 proceeding that are very detailed about those hearings and the
24 events that happened. They are not fanciful, they can be
25 verified through discovery, and we can get rid of this silly

1 stuff, because it's not -- this is not my fanciful
2 imagination. And though you are trying -- the Government
3 wants to force that square peg through a round hole, there are
4 events outside of myself by competent people. I mean, he's
5 saying that Judge Donoghue doesn't even exist.

6 MR. QUINLEY: I made no such allegations. She does
7 exist.

8 DEFT. JOHNSON: You said she's an invention in
9 your --

10 MR. QUINLEY: The proceeding is an invention.

11 DEFT. JOHNSON: So, and the proceeding is not an
12 invention and I will have witnesses to speak to that. But,
13 certainly the -- it could be found out very quickly with Ms.
14 Duke if she sent Andrew Feirstein or any other person to that
15 hearing that a proceeding happened, and so it's very pertinent
16 to and speaks directly to the accusation that there are no
17 such proceedings.

18 MR. QUINLEY: Your Honor, if I may add just one small
19 thing.

20 THE COURT: Hold on. Don't interrupt him.

21 MR. QUINLEY: I didn't mean to interrupt.

22 THE COURT: Don't interrupt. Go ahead, finish.

23 DEFT. JOHNSON: So, you know, if there is a real
24 proceeding then this accusation is B.S., if I can put it that
25 way. So, you know, certainly -- And he's gone to the Grand

1 Jury already on this particular premise, and so it's very
2 direct to the accusation itself that if there's a proceeding,
3 then, whether it's governed by the treaty, whether the
4 obligations are governed by the citation he gave -- I don't
5 believe they are -- but those are completely different
6 situations as to guilt and innocence.

7 THE COURT: Mr. Quinley?

8 MR. QUINLEY: Your Honor, I don't know whether
9 Mr. Johnson received the response or not, but he, through
10 intermediaries, just like he had filed a subpoena for the
11 Library of Congress, he had been asking intermediaries to get
12 the Library of Congress to produce a copy of the treaty that
13 he refers to, and one of his intermediaries was successful.
14 The Reverend Rudy Johnson was successful, and the Library of
15 Congress responded. And they did a detailed search not just
16 in the Library of Congress, but they cited to all the sources
17 where treaties in force are listed going back to all the years
18 referred to by Mr. Johnson, including 1972, and they very
19 politely and very thoroughly responded that they could locate
20 no such treaty.

21 Now, I don't know whether Mr. Johnson has actually
22 received that response. It was posted in a YouTube video by
23 his intermediary, his friend, who had done this inquiry for
24 him, but I don't know if Mr. Johnson has been able to see that
25 or has received the response from the Library of Congress.

1 That was the only thing I was going to interject, is that even
2 the treaty itself is an invention, it doesn't exist.

3 THE COURT: Mr. Johnson, did you receive the
4 information back from the Library of Congress?

5 DEFT. JOHNSON: I have not. I don't know if this
6 Court is familiar with the type of prison that I am in. It's
7 not a normal prison. I'm in a special unit.

8 THE COURT: Control Management Unit.

9 DEFT. JOHNSON: Yeah, we will call it the terrorist
10 unit. But, very limited communication. They have complete
11 access to conceal, steal legal work. There's -- It's -- I'll
12 call it a censorship unit. And under those particular
13 situations it's very difficult for me to obtain the
14 information that I need. And if you want to say due
15 diligence, I say it's impossible from the location that I am
16 at without outside help.

17 The treaty that I am asking for from the Library of
18 Congress is to the best of my recollection. But, based on
19 that information and my recollection, a friend of mine or
20 intermediary was able to obtain a copy of that judgment from
21 Senator Cory Booker. I mean, not judgment, but treaty from
22 Senator Cory Booker. It was mailed in and Ms. Hill refused to
23 deliver it. So, some treaty exists, obviously, that was
24 relevant to the facts that I provided that Senator Corey
25 Booker mailed in and was not delivered.

1 So, these are details that can come out in trial, of
2 course, but we are not dealing just with imagination. It's
3 fanciful on his part, but there is a treaty that regulated the
4 administrative procedures. They were outlined in that.

5 You guys are familiar with Title V which regulates,
6 you know, our administrative procedures, which is a copy of
7 the international one, so the law is relevant. That's why I
8 subpoenaed the Library of Congress. The law that I relied on,
9 the law that governed the procedures that Elaine Duke sent
10 somebody to. And, so, fanciful or imaginary is an accusation,
11 it's not a fact. And I've presented -- In bankruptcy
12 proceedings I presented all these facts, and so they are
13 certainly relevant to a fraudulent claim out of bankruptcy.
14 And what happened in the bankruptcy is they didn't provide --
15 allow me to have the discovery that I am seeking here, for
16 whatever reason. But, you want to take it to a case of guilt
17 or innocence and fraudulent claims, well then I certainly need
18 this kind of information to defend against the accusation of
19 fraud.

20 You know, if there's a proceeding that happened in
21 front of Judge Joan E. Donoghue on January 14th of 2016, where
22 an abatement was presented by the Department of Homeland
23 Security with an injunction and a hearing set on February 19th
24 and then recalled on February 11th, because of the bad faith
25 of the Government, which seems to be continuing, and then a

1 final judgment was entered. Then they filed an appeal which
2 was affirmed on 9/28/2016. So, where are these facts coming
3 from? Are they just delusions of myself or are they something
4 that can be verified by evidence?

5 And I am saying I can't do due diligence from my
6 location, but I could do it with the power of the subpoenas.
7 And these facts would come in and this whole case would
8 implode, because it's not -- it speaks directly to my intent,
9 which is part of the elements of this offense, okay? You have
10 the fraudulent claims of the documents filed, all right, and
11 science, sir, is an element.

12 THE COURT: Let me stop you there.

13 Mr. Quinley, explain to the Court, because, again,
14 this is now coming to the Court on Final Pretrial, trial is
15 scheduled, the allegations and the scheme to defraud contained
16 in the indictment.

17 MR. QUINLEY: Yes, Your Honor. Basically the
18 material falsehood is the claim that there's \$20 billion
19 indebtedness on the person of William True, the Warden for the
20 prison. So, that's two of the counts, is that that's the
21 falsehood, is that there's a \$20 billion judgment against
22 them, and, of course, in the bankruptcy proceeding the Warden
23 testified that there's no such judgment, and he did bring to
24 the attention of the FBI that following the filing of this
25 involuntary bankruptcy against him he's received mailings from

1 businesses that help people in bankruptcy. So, of course,
2 he's concerned about the impact of this upon his credit
3 history. And, the exact same thing with Kathy Hill, the
4 intelligence officer.

5 So, the Defendant here creates a document in which he
6 says that if all these facts are admitted he's entitled --
7 it's actually by his calculation \$21 billion. He has
8 voluntarily discharged one billion. So, he files involuntary
9 bankruptcy saying the warden owes him 20 billion, because it
10 was joint and several with all the people in the Bureau of
11 Prisons named and even persons unnamed, but John Does. And,
12 in fact, Warden True is one of those John Does, because he's
13 not even named in this instrument created by the Defendant.
14 We have a copy of it unsigned, unexecuted, not filed anywhere
15 that is the origin of this claim that somehow it's turned into
16 a legally enforceable judgment through some process that never
17 occurs at all, again, except in the imagination of
18 Mr. Johnson.

19 So, the allegation -- And, frankly, the Government's
20 position is, one, the Warden and Ms. Hill deny any such
21 obligation or any such judgment against them and, frankly,
22 Your Honor, on its face the claim that Bureau of Prisons
23 officials owe Mr. Johnson \$20 billion because he objects to
24 the processes in the CMU is absurd.

25 DEFT. JOHNSON: You bet.

1 MR. QUINLEY: Yes, it's absurd. And he may think
2 that he has a legal defense that he believes his own absurdity
3 and, therefore, can't be convicted of any crime, but I think
4 if it's put to a jury, a jury might determine otherwise.

5 THE COURT: Okay. Mr. Johnson?

6 DEFT. JOHNSON: Okay, Your Honor. If the record is
7 clear, because this is not -- there's plenty of proceedings
8 leading up to this particular case. There was a habeas corpus
9 filed in regards to that judgment where he may have obtained a
10 copy --

11 THE COURT: Which judgment are you talking about?

12 DEFT. JOHNSON: The judgment that I believe was
13 obtained from the International Court of Justice, okay?

14 THE COURT: Who was that judgment in favor of?

15 DEFT. JOHNSON: It was in favor of Executor Kurt
16 Johnson.

17 THE COURT: Pardon?

18 DEFT. JOHNSON: It was in favor of Executor Kurt
19 Johnson.

20 THE COURT: Okay. Do you have a copy of that
21 judgment?

22 DEFT. JOHNSON: No, and I would like to get a copy of
23 it, because it does exist. I am being precluded from getting
24 a copy of it by the Government's enforcement and activities
25 even through Hill and True. So, but I believe it's obtainable

1 by subpoena. In the records that are going to absolutely be a
2 part of this case, the actions that were taken against True
3 and Hill were not even done until after the judgment
4 supposedly, you know, existed. So, the idea that the judgment
5 was enforceable by my own imagination is just his fanciful
6 thinking, and that kind of fancy concerns me, quite frankly.
7 But, the dates that were provided was very specific: There
8 was a hearing on January 14, 2016, in front of Judge Joan E.
9 Donoghue. That's very specific. That's not delusional.

10 THE COURT: Where is he a Judge from?

11 DEFT. JOHNSON: She's a Judge from the International
12 Court of Justice.

13 THE COURT: Okay.

14 DEFT. JOHNSON: And she's a New York citizen, she is
15 -- I sent a bio to you. She's quite prolific in her
16 international law background. She was a counselor to
17 Secretary of State Clinton and also to President Obama. She's
18 worked for the Government for 20 years specializing in
19 international law. I'm sure she's quite competent in her
20 affairs. But, you know, there's 15 judges on that particular
21 court. I am naming the specific Judge, I'm naming a specific
22 day, I am naming the specific instrument, I am providing a
23 case number. If this is all my imagination, it's really
24 bizarre and, quite frankly, I'm sure you are confident
25 enough --

1 THE COURT: What date was this judgment entered?

2 DEFT. JOHNSON: 1/14/16.

3 THE COURT: Were you incarcerated at that time?

4 DEFT. JOHNSON: Yes.

5 THE COURT: Were you representing in the World Court
6 at that time?

7 DEFT. JOHNSON: There were attorneys involved. I had
8 mediators that I am not allowed to talk to and I am cut off
9 from my entire family. I can't communicate with anybody
10 pretty much in the outside world that's relevant to my life
11 because of the facility.

12 THE COURT: Does your mother have a copy of this
13 judgment?

14 DEFT. JOHNSON: Does my mother?

15 THE COURT: Yeah.

16 DEFT. JOHNSON: No, she was -- I was trying to get it
17 to her, but they cut me off and I can't even talk to my
18 mother. I can't write her, she can't write me. There's no
19 communication with my family. I can't even do any due
20 diligence. But, these are not -- These are not fanciful
21 facts. Where am I getting the names Andrew Feirstein? Where
22 am I getting the names of Judge Donoghue? I have got the
23 dates of 1/14, 2/11, 2/19, 9/28. These are all events that
24 are verifiable factually. And if they are factual, then I'm
25 not delusional. And you should be confident enough right now

1 to figure out I'm not delusional. I'm competent in the
2 language and I'm quite aware of my surroundings and what's
3 being talked about.

4 So, it's a great idea, but these things speak
5 directly. That's why I was really concerned about, quite
6 frankly, your denial, because there's a lot more to this case
7 than just, you know, vain imaginations and accusations of that
8 on both sides. There's a lot of facts that are very specific.
9 And if they are false, they are false; if they are true, they
10 are true.

11 And the whole purpose, I thought, of discovery was to
12 get to the facts so that at trial it could go forward with
13 truth. And, you know, if that's the case, then these speak
14 directly. Certainly if the Department of Homeland Security
15 sent somebody there to represent and they have an e-mail,
16 even, if they have a document, if they have the documents they
17 provided, you know, if they have a copy of the notice of
18 abatement or, excuse me, the Motion for Abatement, which would
19 have been appropriate at that particular time, and their
20 injunction, then what are we talking about? My vain
21 imaginations are gone.

22 MR. QUINLEY: Your Honor, if I may read into the
23 record a document of Mr. Johnson's that he filed with a Court
24 in this district, in the proceeding where he attached as
25 Exhibit A the judgment, this is what he filed with Exhibit A

1 where he does have the cause number; cause number that is
2 handwritten on the copy of the instrument that he created
3 which he says is a default or -- or by these processes is now
4 an enforceable default.

5 "Petitioner supplies this notice of obstruction in
6 place of the intended Exhibit A, which was to be a copy of the
7 World Court judgment." And it's a very long number, so I
8 won't read the number into the record. But, he is consistent
9 with it.

10 "Respondent, along with all his coconspirators, have
11 used their office in illegal operation of the CTU -- CMU unit
12 to prevent Petitioner from obtaining a copy of this judgment.
13 The intended benefit of having it filed with this petition for
14 easy viewing of the Court and all intended parties has now
15 spent many times over with this 18-month delay caused by their
16 destruction; therefore, any and all relevant parties and the
17 Court are free to obtain a copy from the World Court in New
18 York or the Netherlands as a public record."

19 And, Your Honor, on that representation, if the
20 people who assist this Court cannot obtain this public record,
21 then I think the Court will have all the information it
22 needs -- and I don't think it needs any, really, but to
23 evaluate whether or not Mr. Johnson is proceeding in good
24 faith.

25 THE COURT: Does this judgment that Mr. Johnson says

1 exists exist?

2 MR. QUINLEY: No, it does not. There is no process,
3 there is no proceeding.

4 THE COURT: Has the Government inquired as to the
5 World Court as to whether this judgment exists?

6 MR. QUINLEY: There's nowhere to inquire from. Every
7 detail that Mr. Johnson cites from memory are details that he
8 has created in written instruments, which he has then styled
9 as admissions of fact. So, the very process he recited for
10 the Court by rote with all the dates, and he was accurate in
11 every one of them, are from his separate instruments from the
12 original creation of this where he now recites eight facts
13 that he requires Elaine Duke to admit if she does not answer
14 to the eight facts, the fact of World Court, the fact of Judge
15 Donoghue, the fact of the hearing.

16 And, of course, Your Honor, I think the Court can
17 take judicial notice about this claim that the Government
18 asked for abatement and an injunction of this instrument that
19 somehow is filed through some unknown process with the Court
20 that because of the bad faith of the Government Judge Donoghue
21 recalls the hearing, doesn't hold the hearing and makes his
22 instrument a final judgment, and then that's approved on
23 appeal.

24 One, I don't know what the appeal process is, either,
25 from the 15-Judge International Court of Justice sitting in

1 the Hague, and, as I say, from the Supreme Court of the United
2 States there's no jurisdiction of that court and there are no
3 private remedies for citizens of any country anywhere in the
4 world. And I'm sorry Mr. Johnson never got the response from
5 the Library of Congress that the treaty he cites to does not
6 exist, and we will provide him with what the response was to
7 the Reverend Randy -- Rudy Davis that Rudy Davis posted on
8 YouTube on behalf of the Defendant.

9 THE COURT: Why don't you provide that response to
10 him.

11 Go ahead, Mr. Johnson.

12 DEFT. JOHNSON: We are getting -- Again, I would like
13 to keep things separate. The admissions that I sent to Elaine
14 Duke that he keeps referencing, okay, were Rule 36 admissions
15 in a civil procedure, okay? That's completely different than
16 the processes he keeps talking about in the International
17 Court, okay? The chances of me obtaining this judgment in
18 this particular --

19 THE COURT: What was the judgment for?

20 DEFT. JOHNSON: The judgment was -- Actually, why
21 don't I just take a minute to get you up to the procedures
22 that he calls processes.

23 THE COURT: Answer my question first. What was the
24 judgment for?

25 DEFT. JOHNSON: The judgment was for -- It was a

1 administrative default judgment obtained at the end of
2 administrative procedures, okay, and the procedures are
3 governed by the treaty where you start out with an
4 international demand, then if it's not answered you put a
5 Notice of Fault, if that's not answered then you can go to a
6 notice of -- you go to a Notice of Dishonor -- excuse me,
7 dishonor second, and Notice of Fault, and then the fourth
8 process would be a judgment. The judgment -- All four of
9 those documents, it's true, are created by the person
10 that's -- In this particular case I created all four of those
11 documents. But, the procedures are very precise. They have
12 to go to an international administrative hearing officer. To
13 my knowledge that was a gentleman named Jonathan Helmsford.
14 And Jonathan Helmsford accepted and looked at the treaty for
15 compliance with the documents, and then he presented them to
16 the World Court, in this particular case Joan Donoghue. And
17 Joan Donoghue, based on the compliance with the treaty and the
18 motions put forward by the Department of Homeland Security,
19 put out a nine-question questionnaire to the Government and
20 all the respondents that are listed, and she received such
21 dishonor from the nine-question questionnaire that she
22 created -- I didn't create, it wasn't a figment of my
23 imagination -- and that is what the dishonor was that caused
24 her to retract her hearing dates and make the judgment final
25 eight days before the hearing.

1 THE COURT: Okay.

2 DEFT. JOHNSON: And these facts, again, are -- You
3 know, if the Government can't seem to find the judgment, you
4 are asking a lot of me if I can't do it through subpoena to do
5 it through due diligence. That's just not going to be
6 possible.

7 THE COURT: Okay.

8 DEFT. JOHNSON: And I have had quite a bit of
9 difficulties doing anything with this particular case.

10 The processes that he's talking about in California,
11 I have done private administrative processes most of my life,
12 okay? That's very different than the one that I am talking
13 about here. Those are governed under Title V, okay? This is
14 governed under international treaty where the Court has its
15 own original jurisdiction in regards guaranteed by that
16 treaty. So, the law itself as to the Library of Congress
17 would be completely irrelevant, obviously.

18 THE COURT: What about the -- There's subpoenas of
19 International Court of Justice, Michael Puckett.

20 DEFT. JOHNSON: Right.

21 THE COURT: Sheriff Rich Stevenson, FBI Agent
22 Jeschke.

23 DEFT. JOHNSON: The International Court of Justice,
24 obviously Judge Donoghue could speak to this situation very
25 quickly. If there are documents created, I mean, she created

1 the nine-question questionnaire that I am claiming that she
2 did, then that's certainly enough right there to show that
3 there was processes and that she felt she had jurisdiction
4 over the particular subject matter. And these things are
5 really absolutely central to this entire claim.

6 So, you know, that would be crucial.

7 Michael Puckett, I was informed, actually has a copy
8 of the judgment. Whether these guys have it or don't have it,
9 whether that's a true fact or not, I can't be certain until I
10 subpoena.

11 THE COURT: Who is Michael Puckett?

12 DEFT. JOHNSON: Michael Puckett is a Disciplinary
13 Hearing Officer for the Central Region in the Federal Bureau
14 of Prisons.

15 THE COURT: How do you know he has a copy of the
16 judgment?

17 DEFT. JOHNSON: There was a hearing in late June
18 where he came in and did a disciplinary hearing with Stephen
19 Sherak. And Stephen Sherak was another inmate that had helped
20 me through his family to get some of these things done on the
21 outside. And Mr. Puckett claimed to have as part of his
22 evidence in support of the disciplinary hearing a copy of the
23 judgment that he received from what sounded like a David
24 Schleger (ph) from the Department of Homeland Security, and
25 that Mr. Schleger had told him, "I know how to get around that

1 judgment." And I heard that -- I was standing outside the
2 office, I heard it, but it was also reported to me by Stephen
3 Sherak.

4 So, I don't know if he's got the unexecuted copy or
5 he has an executed copy. I don't know.

6 THE COURT: Let me stop you there. Do you know
7 anything about this Michael Puckett, Mr. Quinley?

8 MR. QUINLEY: We know all about Stephen Sherak who
9 had seized amongst his property when he was being released a
10 list of 30 Bureau of Prisons officials that this Defendant
11 wished to have involuntary bankruptcies filed on. There was
12 also a letter to his father in which he expressed that once
13 these were filed that all hell would break loose and he
14 expressed the belief that Washington wouldn't want to deal
15 with him and he would be released. "If all goes well, I could
16 be out by February, God knows."

17 And, Warden True, maybe, wasn't the warden by that
18 time, because he wasn't amongst the 30; Kathy Hill was. And,
19 Your Honor, there are no records from the Bureau of Prisons of
20 any such instrument except, again -- And, again, this is
21 because of correspondence where the Defendant, before he was a
22 Defendant in this matter, where he sent it either to his wife
23 of promise, Deborah, or to his mother or to his father, so we
24 have copies of this instrument that he created, handwritten on
25 the top is this case number, unsigned, unexecuted, and, as far

1 as anyone can tell, not filed anywhere by anyone.

2 And you asked the Defendant what the basis was for
3 the \$20 billion or \$21 billion. The basis is the oppressive
4 condition of being confined in the CMU. So, it's a global
5 joint and several judgment against all the Bureau of Prisons.
6 It increases every year by 2 billion as long as the Terre
7 Haute CMU and the Marion CMU remain in operation. So, that's
8 what the basis is for the 20 billion or the 21 billion,
9 reduced by one.

10 But I think the letter that was taken from Mr. Sherak
11 addressed to the Defendant's father illustrates that he knows
12 exactly what he was doing. He's a very clever individual, and
13 his hope is that he becomes so difficult to manage --

14 THE COURT: Where is Stephen Sherak now?

15 MR. QUINLEY: He'll get out. He's out, he's at
16 liberty. He was released.

17 THE COURT: Go ahead.

18 DEFT. JOHNSON: Okay. Well, you know, it's funny to
19 me that they are this familiar with Stephen Sherak, and that's
20 another person that's, you know, necessary to subpoena,
21 because his efforts to assist me, obviously you can see, are
22 central to this case. They plan to introduce evidence
23 themselves about documents seized from his person. And he's
24 central and yet there was no 302s for him by the FBI. This is
25 the kind of obstruction that I am up against. You know, call

1 the Court. If Joan Donoghue says I'm full of crap, I'm full
2 of crap, simple as that. But, don't call Stephen Sherak or
3 Faith Sherak or any of your discovery, because you don't want
4 to know any of the facts. You are really happy parading out
5 this propaganda that this is all my delusion, and, you know, I
6 know what a delusion is, but a delusion is not shared with
7 lots of other people. You can look it up in psychology.
8 Delusions are not shared and they don't have all these outside
9 facts and they don't stay constant over the years. It's
10 been -- Just a habeas alone took me 18 months to get filed.
11 And the reason it wasn't with a certified copy of the
12 judgment, which Mr. Sherak was going to provide for me when he
13 got out, is because they threatened him and put him back in
14 jail. And these are facts that are going to come out in the
15 case.

16 But, you know, you can't continue to block and block
17 and block and block and say it doesn't exist, and when I try
18 to get it, which is relative to the defense --

19 THE COURT: So, you want Mr. Sherak to testify on
20 your behalf?

21 DEFT. JOHNSON: He's definitely going to testify.

22 THE COURT: Do you know where he is?

23 MR. QUINLEY: I believe in New York.

24 AGENT BIGHAM: New Jersey.

25 MR. QUINLEY: New Jersey. By the way, Your Honor,

1 he's not cooperating. Correct?

2 AGENT BIGHAM: We have not approached him, but he's
3 -- he's never been able to find the judgment. He is
4 currently -- He defrauded his mother out of some money and
5 from his correspondence was no longer cooperating with the
6 Defendant. And so, you know, we have not reached out to him.
7 In reading all of his correspondence, he's never been able to
8 provide the judgment or the order that he's needing. No one
9 in his family has. None of his outside people, his father,
10 mother, the Sherak, can provide his judgment. That's what
11 he's wanting from them.

12 DEFT. JOHNSON: That's a good point he brings up
13 here, because he hasn't reached out to Mr. Sherak, and Sherak
14 probably doesn't want to reach out to them because he's been
15 threatened and bullied and very concerned about assisting me
16 at the expense of going back to prison just because of the
17 particular judgment.

18 And to add some facts, in order to try to alleviate
19 some of that threat, I was informed by Mr. Sherak that the
20 judgment was modified on February 8, 2018 to redact the name
21 of him and him and his family from the judgment and from all
22 the court proceedings of the International Court. That's how
23 scared he is of the threat of the Government.

24 THE COURT: You have confused me now. I thought you
25 got the judgment. Sherak didn't get the judgment.

1 DEFT. JOHNSON: I understand, and I'm sorry for the
2 confusion. I'm just giving you facts.

3 The handling of the transactions are not done by me
4 in prison. It's not possible, okay? Mr. Sherak was a
5 mediator in helping me with some of his contacts and people to
6 take these procedures to the International Court.

7 This is information that they already possess, they
8 know about Mr. Sherak. They know about his position on the
9 threats, they know about why he didn't file --

10 THE COURT: So, you want him to come testify on your
11 behalf?

12 DEFT. JOHNSON: Sure.

13 THE COURT: What do you expect him to testify about?

14 DEFT. JOHNSON: I expect him to testify, one, that
15 there is a judgment; two, that he's been threatened to prevent
16 -- threatened in such a way that he did not feel comfortable
17 providing the judgment or getting the judgment to me.

18 And just to give you a little historical fact, I
19 wrote a habeas in this particular district -- I wrote a habeas
20 procedure based on the judgment, okay? The judgment was to be
21 filed as an exhibit, Exhibit A, in regards to that, and that
22 was in front of Mr. Herndon, okay? That was not filed by me,
23 okay? That was Mr. Sherak, when he got out was going to file
24 that on my behalf and attach the judgment which he had in his
25 possession at the time, okay? That was my understanding.

1 Then it was filed without the judgment. And what I would call
2 an abstract of judgment was provided, but not a certified one
3 from the Court, something that I believe Mr. Sherak produced
4 himself.

5 So, you have him being able to speak directly to why
6 wasn't the judgment filed directly as an exhibit to my desire,
7 and he will respond he was threatened, he will respond to, you
8 know, all the reasons why he had to get the judgment reissued
9 with redactions. His sister was involved, his mother was
10 involved, there were lawyers involved, and there was expenses
11 that, you know, were provided, and so and so on. So, it's
12 certainly not my delusion.

13 THE COURT: Okay. What about some of these other
14 people you want to -- You have this Sheriff Rich Stevenson,
15 FBI Agent Jeschke.

16 DEFT. JOHNSON: Yes.

17 THE COURT: Elliot Weisner and California Secretary
18 of State, Florida Motor Vehicle, New Jersey Vital records.

19 DEFT. JOHNSON: Let me start with Mr. Stevens and
20 Jeschke. The prosecution, I believe, made these moot, because
21 they provided me these documents. My concern about that
22 provision of documents, though, is that what Agent Jeschke
23 provided me, I'm assuming he provided me through, did not have
24 a copy of the judgment, and both Faith and Stephen Sherak will
25 testify they mailed a copy of the certified judgment to FBI

1 Agent Steven Jeschke.

2 So, I am concerned there. Somebody is lying. If
3 Agent Jeschke actually did receive the judgment, I didn't
4 receive it in discovery, and so I think that part of the
5 subpoena being quashed was to avoid any conflicts with this
6 Court for contempt by not providing it if Mr. -- Agent Jeschke
7 actually has a copy of the judgment. Mr. Sherak and Faith
8 Sherak will testify that a certified copy of the judgment was
9 provided to Ms. Hill.

10 THE COURT: Who is Faith Sherak?

11 DEFT. JOHNSON: Stephen's mother.

12 THE COURT: Okay.

13 DEFT. JOHNSON: Will testify that they provided a
14 certified copy of the judgment, which I have never seen,
15 okay -- I'm making clear I have never seen -- that they
16 provided one to Kathy Hill and they provided one to Agent --
17 FBI Agent Jeschke. Are they lying to me? Well, they can come
18 in here and lie to the Court. But, to my knowledge that's the
19 fact why I asked for those things.

20 THE COURT: Okay.

21 DEFT. JOHNSON: Mr. Jeschke provided the files. And
22 just to give you a little background, Stephen Sherak was being
23 released in November of 2017. He had some of my documents and
24 was going to assist me, which is what the prosecutor here is
25 referencing about doing bankruptcies and filing my habeas and

1 these types of things. Ms. Hill confiscated all of that and
2 they kept Mr. Sherak in jail for another seven months, and he
3 was released in July of 2017, okay? So, he's completely
4 entrenched into these particular issues about the bankruptcy,
5 he's central to the defense. And the other documents, or the
6 other thing I was provided from Rich Stevenson was all the
7 recorded phone calls while he was in county jail, and 12 of
8 those were to Stephen Sherak, and on those recordings he will
9 either -- he will have to address the things he said, because
10 some of the things he said I am telling you about the threats
11 and the judgment, how they were issued, so on.

12 THE COURT: Let's get beyond Stephen and Faith
13 Sherak.

14 DEFT. JOHNSON: I'm just letting you know that that
15 was for Richard Stevenson.

16 THE COURT: Richard Stevenson.

17 DEFT. JOHNSON: So, I received all those phone calls.

18 THE COURT: If Stephen Sherak appears to testify, he
19 can testify to all that stuff.

20 DEFT. JOHNSON: I understand.

21 THE COURT: So, we don't need Rich Stevenson.

22 DEFT. JOHNSON: No, I received those. I'm letting
23 you know they were made moot.

24 THE COURT: All right.

25 DEFT. JOHNSON: Mr. Weisner was an attorney, to my

1 knowledge, that did the due diligence on the procedures.

2 THE COURT: Who was he? Who hired him?

3 DEFT. JOHNSON: Jackie Sherak, or Jacqueline Sherak,
4 which is Faith's daughter and Stephen's sister.

5 THE COURT: Okay.

6 DEFT. JOHNSON: Okay. And he did the due diligence,
7 and based on information I had he has some of the documents,
8 including those that were signed by Andrew Feirstein, though
9 he may not have a copy of the judgment itself.

10 THE COURT: Okay.

11 DEFT. JOHNSON: So, he would be relevant as to, one,
12 the treaty; he would be relevant as to the processes, the
13 administrative hearing officers, attorneys that represented
14 the executor at the proceedings, that the proceedings actually
15 took place, that he has some documents that prove that the
16 proceedings actually took place, and these are far --

17 THE COURT: Who's the executor?

18 DEFT. JOHNSON: Kurt Johnson.

19 THE COURT: Who?

20 DEFT. JOHNSON: Kurt Johnson; Executor Kurt Johnson.

21 THE COURT: You?

22 DEFT. JOHNSON: Yeah.

23 THE COURT: Okay. You are the executor?

24 DEFT. JOHNSON: Yes.

25 THE COURT: Okay.

1 DEFT. JOHNSON: So, he could be really relevant as to
2 a defense against the delusional claim. As far as California
3 Secretary of State and all these -- I would have used all of
4 that information to speak towards the status of the accused,
5 but you said that ship has already sailed and so I would still
6 like to obtain those, because I'm going to -- you know, I'm
7 objecting to the presumption, and that would be evidence
8 related to that presumption. But, that's up to you.

9 Then Deutsche Bank made an offer of just about 75 to
10 80 percent for this particular judgment that doesn't exist.
11 They opened up an escrow, deposited \$700,070,000. This is all
12 through Jackie Sherak, who is a banker. They deposited
13 \$700,070,000. They were getting ready to completely fund and
14 purchase this particular judgment.

15 THE COURT: How do you know that?

16 DEFT. JOHNSON: I got this information through
17 Stephen Sherak and --

18 THE COURT: So, Stephen Sherak will be able to
19 testify to that?

20 DEFT. JOHNSON: Yes. And they were going to pay the
21 rest. But, Deutsche Bank got in a little financial trouble a
22 few years back and they had to withdraw. So, getting any of
23 those escrow documents would obviously prove the due diligence
24 of a bank will not drop \$700,070,000 to an account by a bogus
25 paper made by an inmate in a secret unit. So, that's one of

1 the reasons that I think they are completely relevant. The
2 bank is available in New York and, therefore, is, you know,
3 within the jurisdiction of this court.

4 The escrow officer, I believe, was a gentleman named
5 Heiko Lotz. And so I have given as much detail in these
6 subpoenas I can to make it very specific for these people to
7 provide the information that I need to prove that a judgment
8 exists. Obviously, you know, the deduction -- even if the
9 judgment doesn't exist, but the deduction would be that if a
10 bank offers, you know, \$14 billion for a judgment that it's
11 not fake. So --

12 THE COURT: Who's Angela Clemons?

13 DEFT. JOHNSON: Angela Clemons is a lady that dealt
14 with Stephen Sherak once he got out, and I believe there's
15 some communications that she had directly with him and, you
16 know, I'll probably need --

17 THE COURT: Wouldn't that be hearsay? If Stephen
18 Sherak testifies, why do you need her?

19 DEFT. JOHNSON: Basically the reason being is because
20 it will be -- it will provide some timelines and some
21 different communications that I'll need to properly understand
22 his testimony or be able to communicate. Because I wasn't
23 out. I'm in what they call incognito. I had no communication
24 with Mr. Sherak, very limited once he got out. And, so, you
25 know, Angela Clemons had some information that I think would

1 be pertinent and relevant to me dealing with Mr. Sherak.

2 THE COURT: Would Mr. Sherak be able to testify as to
3 that same information?

4 DEFT. JOHNSON: No, I don't think so.

5 THE COURT: Hold it a second. If A talks to B and A
6 tells B something that B testifies, B can testify as to the
7 timeline, as to everything, you know, so I don't understand
8 why you need --

9 DEFT. JOHNSON: Okay. Let me see if I can address
10 it.

11 THE COURT: It seems to me most of hers would just be
12 hearsay.

13 DEFT. JOHNSON: I'm not trying to get her to testify
14 as to what she knows, okay? I'm just trying to get some
15 documents from her.

16 THE COURT: What documents does she have that Mr.
17 Sherak doesn't have?

18 DEFT. JOHNSON: Well, she might -- I don't know if
19 Mr. Sherak has all the communication he had with Angela
20 Clemons, okay, and it's going to be important for me to --
21 because, you know, I'm really playing in the dark here, okay?

22 THE COURT: I understand that.

23 DEFT. JOHNSON: So, I need as much light as I can
24 shine on the facts so I can properly question Mr. Sherak. You
25 know, I don't know who's telling the truth, who's lying to me

1 at this point, and it's just relevant, I think, to have the
2 evidence to address, like I say, timelines, communications.
3 There might be impeachment evidence, you know, of my own
4 witness, I don't know, because I don't know who's lying to me
5 yet. I have good reason to believe who's lying to me and
6 who's not, but, you know, we are going to have to get to the
7 bottom of it.

8 THE COURT: Postmaster General.

9 DEFT. JOHNSON: The Postmaster General is irrelevant
10 to the particular type of situation that I am in. I tried to
11 sue the Postmaster General not through this -- not through
12 these processes, but in the actual civil suit that was brought
13 before Judge Rosenstengel, and under that particular situation
14 I couldn't even get the litigation to the Court. I'm so
15 bogged down with censorship at this particular unit that I
16 didn't even have access to the Courts. And, so, I have
17 information related to that with documents that have never
18 been able to go out in the mail. I sent an actual copy of the
19 complaint. You can't start a civil proceeding without a
20 complaint. So, the complaint never made it out of the unit.
21 I tried to get an amended complaint out of the unit and they
22 wouldn't mail it. So, I couldn't even -- I fully paid for the
23 litigation, was never able to litigate it, and these are the
24 type of practices and patterns that I suffer under with Hill
25 and True, which will speak towards the obstruction that I am

1 up against, will speak towards their pattern and practice. It
2 will be impeachable for the credibility of his witnesses. And
3 these are the type of things that -- these particular
4 relationships between the Postmaster General. Because the way
5 the mail is handled in this particular unit is impossible for
6 it to be lawful.

7 THE COURT: Okay. And I assume that, Mr. Quinley,
8 both True and Hill will be testifying?

9 MR. QUINLEY: Yes, they have already testified under
10 oath in the bankruptcy proceeding.

11 THE COURT: Okay.

12 MR. QUINLEY: So, we are making arrangements to have
13 copies. Mr. Johnson was present, well, by telephone and
14 cross-examined them. But, we are trying to arrange to have
15 copies of those recorded testimonies provided to Mr. Johnson.

16 THE COURT: So, they will be here?

17 MR. QUINLEY: Sure.

18 THE COURT: Okay. Anybody else?

19 DEFT. JOHNSON: No. I mean, there were a couple of
20 other subpoenas I wanted to produce, but I chose not to do
21 them yet, because there's still some information that I am
22 seeking.

23 THE COURT: Well, this trial is set for, you know,
24 ten days. So, if we are going to issue subpoenas, you know --
25 Of course, we will consider and I'm going to hear the

1 arguments of Mr. Quinley in a minute, but we may have to put
2 this trial off.

3 DEFT. JOHNSON: I understand. You know, if I don't
4 have a fair shot at discovery, you know, this is --

5 THE COURT: Well, I assume the Government has turned
6 over discovery to you, have you not, Mr. Quinley?

7 MR. QUINLEY: That's correct, Your Honor. It's
8 extensive.

9 DEFT. JOHNSON: It's not all that extensive. But,
10 you know, these particular subpoenas are really essential for
11 laying a foundation of the defense. And the defense is not
12 complicated, you know. Their accusations are really simple:
13 I'm a delusional fraud, okay? Well, there's a lot of facts
14 out there where I'm not the delusional fraud and, you know,
15 just an example, I was trying to bring up in the habeas
16 proceeding it took me 13 months -- I mean, 18 months from the
17 time I created that document to get it filed. That's how much
18 obstruction that was involved just in the habeas. And I
19 didn't even prepare the habeas until the judgment was entered.
20 So, I am making my procedures and governing my lifestyle and
21 facts based on the judgment. So, the judgment is critical and
22 central to the entire thing. And whether the judgment exists
23 or not is not really going to be the final question.

24 THE COURT: Well, what is the final question?

25 DEFT. JOHNSON: The final question is going to be if

1 the judgment doesn't exist, did I have good reason to believe
2 it exists and was I led to believe it exists under the
3 circumstances that I was in and, therefore, I don't have the
4 mens rea. So, those are the two defenses, and they are
5 specific enough to be addressed, but I have got to get the
6 facts. You know, if you just keep me in this box, okay, and
7 railroad me through processes without being able to get these
8 particular facts -- And I would think the Government has
9 better access to getting them than I do. But, if they are not
10 going to get them, I need to get them.

11 MR. QUINLEY: Your Honor, I think the Defendant just
12 hit the nail on the head. The whole exercise that he's
13 undertaking is to try to defeat proof of his mens rea.

14 Now, Your Honor, another Court was confronted,
15 different circumstances, it was his habeas petition, but after
16 dismissing his habeas petition Judge Herndon had a Motion for
17 Reconsideration, which basically, just like the habeas with
18 Exhibit A, the World Court judgment that's not there,
19 Mr. Johnson persisted. And Judge Herndon wrote in his denial
20 of the Motion for Reconsideration, "The Court also notes that
21 Petitioner's claim that the illegality of his confinement was
22 litigated by the parties is absurd."

23 And, that's the bottom line here. No matter how many
24 details, no matter how many claims of *I have sent this person*
25 *to get it and that person to get it*, it's all a cloud. And

1 the underlying allegations and the details of those
2 allegations are absurd and, frankly, Your Honor, I think a
3 Court of this district or any district in the United States is
4 entitled basically upon its knowledge of the legal system to
5 conclude that these claims are absurd.

6 And Mr. Johnson is not going to be barred in any way
7 from trying to convince a jury that he's a true believer in
8 the creations of his own imagination and to try to show all
9 these connections, and in the end I think the Government will
10 be able to persuade the jury that he's a liar. He's not
11 delusional. He has a purpose and his purpose is to be so
12 difficult that he will get out of the CMU and maybe even out
13 of prison. He's not going to succeed in that effort and he
14 may be delusional in thinking that that's an achievable goal,
15 but all of his actions are consistent with that goal. None of
16 his actions are consistent in any believable fashion in
17 creating a \$20 billion debt on the part of Bureau of Prisons
18 officials, nor a \$1 billion source of income by his voluntary
19 discharge of \$1 billion of that debt and filing 1099s on, was
20 it, 30 or -- at least a dozen Bureau of Prisons through an
21 intermediary.

22 This is a campaign of harassment, Your Honor.

23 THE COURT: Well, apart from that, what's your
24 response to, you know, these other people and entities that he
25 wants to subpoena?

1 MR. QUINLEY: Your Honor, I think any trial subpoena
2 that the Defendant requests should be issued so that these
3 people can appear in court and testify. I think that the --

4 THE COURT: There has to be a basis for issuing those
5 subpoenas.

6 MR. QUINLEY: Well, 17(c) subpoenas is for the
7 production of documents in advance of trial. He has the right
8 to subpoena witnesses for his defense, and the Government's
9 not going to raise any objection to that. And if those people
10 can be served and if they appear in court -- And, you know,
11 now there will be a question of the relevancy of their
12 testimony. But, the Government is not seeking to bar
13 Mr. Johnson from subpoenaing witnesses. This is the 17(c)
14 process which provides by Court order and by permission of the
15 Court with the early production of documents. And that's why
16 we didn't oppose the subpoena to Nell Leffel. He says that
17 she doesn't have the documents, but in his subpoena he asks
18 for them from Nell Leffel.

19 THE COURT: From who?

20 MR. QUINLEY: His mother.

21 THE COURT: Yeah, his mother. All right.

22 MR. QUINLEY: But, at any rate, he can subpoena all
23 of these witnesses, and if they can be served and if they can
24 appear, then the Court can then consider whether or not they
25 would be permitted to testify based upon the Rules of Evidence

1 and relevancy. And, frankly, Your Honor, as he plainly
2 pointed out to the Court, it all goes to his mens rea and his
3 defense that even if it's not real, he believes that all of
4 this is real and, therefore, he's not guilty of fraud. So, we
5 will litigate that.

6 But, I'm just saying that the Court doesn't need to
7 engage Mr. Johnson in what is absurd and is a fantasy in
8 reality, and that's why I think that, you know, you can go to
9 YouTube and listen to Judge Donoghue lecture at a school in
10 Virginia and at other forums. She's a very distinguished
11 member, first female member of the International Court of
12 Justice. I don't think the Court needs to harass her, either,
13 but she's subject to subpoena, I suppose, like anyone else.

14 DEFT. JOHNSON: One of the things, Your Honor, is
15 that you know, the Government seems to think if they can just
16 say absurd enough, enough, enough in different places that
17 it's a reality. It's not even close. And bringing up Judge
18 Donoghue, documents would be a lot more responsible handling
19 of this particular person than trying to depose her or bring
20 her in because of her responsibilities and the very person
21 that she is to drag her out into a criminal case. I am trying
22 to be diligent in using, you know, court resources in the most
23 advantageous fashion. I think it would be really
24 irresponsible if she has documents that would prove and speak
25 to the issue to not go for the documents and then just demand

1 that she come here for appearance.

2 THE COURT: Who's this?

3 DEFT. JOHNSON: That's Judge Donoghue. I think --

4 THE COURT: She's not on your list, though.

5 DEFT. JOHNSON: She's on my list under the
6 International Court of Justice as far as subpoenas go.

7 THE COURT: Okay.

8 DEFT. JOHNSON: And, like I said, I think it would be
9 a lot more responsible just to attempt documents that can
10 speak to the absurdity that seems to be trumpeted all over the
11 place. And, you know, that particular order that he
12 references is not final anyway in Judge Herndon's particular
13 situation. Mr. Herndon was definitely trying to address a
14 habeas, but everybody's presuming -- Judge Herndon, the
15 prosecution, Judge Rosenstengel, and even the Judge in the
16 bankruptcy, everybody wants to presume I'm an idiot and that I
17 am lying. That's fine, but there's facts out there that can
18 speak directly to it and, you know, now the fun is over.

19 You guys brought a criminal case. You have already
20 gone and lied to the Grand Jury as far as I'm concerned. So,
21 this is getting serious now, and I think, you know, it's time
22 to get to the facts and get the facts on the table, because
23 absurd, delusional, fanciful, those are all nice words to
24 throw around, but there are facts out there that speak to the
25 reality of the situation and they need to be addressed, I

1 think, in the best and most advantageous fashion of getting
2 the documents before trial and then from there, in all
3 fairness, where access to these proceedings --

4 THE COURT: Well, procedurally the documents don't
5 exist, though.

6 DEFT. JOHNSON: That's the assumption. How can you
7 prove that? You guys are walking around trying to prove the
8 negative. I say they exist and I'm trying to prove the
9 positive. Like I say, if you want to make the accusation they
10 don't exist then call up --

11 THE COURT: I'm not saying they don't exist. I'm
12 saying the Government has a duty to disclose discovery to
13 you --

14 DEFT. JOHNSON: Yeah, right.

15 THE COURT: -- and I'm assuming -- I don't know
16 whether you have inquired as to whether these documents exist
17 and he's claiming they exist or not. But, if you have them,
18 you have to disclose them.

19 DEFT. JOHNSON: Well, obviously they haven't done
20 that.

21 MR. QUINLEY: We have nothing, Your Honor.

22 THE COURT: Okay.

23 DEFT. JOHNSON: They haven't done that and I don't
24 think they have even done due diligence to pursue it, because
25 anybody who's looked at my e-mails, my communications and my

1 -- and the disciplinary hearing events and the activities
2 that's been going on in the CMU knows that Stephen Sherak is
3 central to this particular thing, and they haven't tried to
4 reach him.

5 THE COURT: Okay. We are going to --

6 DEFT. JOHNSON: Those are -- I'm just saying --

7 THE COURT: I'm prepared to tell you right now that
8 we are going to -- I'm going to authorize the issuance of
9 subpoenas to Faith and Stephen Sherak.

10 DEFT. JOHNSON: Okay.

11 THE COURT: I assume we know where they are.

12 Now, this International Court -- Who's the
13 International Court Judge you want subpoenaed?

14 DEFT. JOHNSON: Judge Joan E. Donoghue.

15 THE COURT: Joan Donoghue?

16 DEFT. JOHNSON: Yes. And you should have a bio
17 available for you.

18 MR. QUINLEY: It's actually Ruth. Oh, it is Joan,
19 I'm sorry. Excuse me.

20 THE COURT: So, if we subpoena her and tell her to
21 bring any and all documents, that would solve your problem,
22 right?

23 DEFT. JOHNSON: Absolutely. I do want to just -- You
24 know, I'm trying to be considerate of Judge Donoghue.

25 THE COURT: Well, I'm trying to be considerate of

1 your defense.

2 DEFT. JOHNSON: I agree. And the documents would
3 resolve the issues if they exist, correct.

4 THE COURT: It would be easier to subpoena her and
5 tell her to bring all relevant documents.

6 DEFT. JOHNSON: Okay.

7 THE COURT: If they exist she will bring them. If
8 they don't, she will come and say they don't exist. So, let's
9 just get her here.

10 DEFT. JOHNSON: Okay, that's fine.

11 THE COURT: Let's just get her here.

12 DEFT. JOHNSON: Okay. I'm fine with that. I'm
13 just --

14 THE COURT: Now, you understand there may be issues
15 -- subpoenas that are issued that there will be Motions to
16 Quash those subpoenas, and we will have hearings on those,
17 and then in a Motion to Quash she may or may not say that,
18 "Hey, I don't know anything about this." But, you know, I
19 will issue her a subpoena.

20 DEFT. JOHNSON: Okay.

21 THE COURT: And with a subpoena duces tecum, I mean,
22 she has to bring documents related to this judgment that you
23 have, say you have.

24 DEFT. JOHNSON: Okay, thank you.

25 THE COURT: Now, do we really need Sheriff Rich

1 Stevenson and the FBI agent?

2 DEFT. JOHNSON: Sir, that was just for -- that was
3 just for documents. I don't need Mr. Stevenson to testify for
4 anything. And Jeschke is probably going to be on their
5 witness list, so --

6 THE COURT: How long is this trial going to take,
7 Mr. Quinley, from the Government's standpoint?

8 MR. QUINLEY: Really, it would be hard to imagine how
9 it would go longer than two days, but we won't be in control
10 of cross-examination, of course.

11 THE COURT: Right.

12 MR. QUINLEY: But, frankly, it really could be
13 presented in one afternoon. I anticipate there may be issues
14 raised that could extend it into two days. And we are ready
15 to proceed, Your Honor.

16 THE COURT: What happens if -- It's going to be hard
17 to get people here by the 20th.

18 DEFT. JOHNSON: I understand.

19 THE COURT: I don't know how fast we can issue these
20 subpoenas. I know, Mr. Quinley, you have another assignment
21 you have to go to at some point in time in the fall.

22 MR. QUINLEY: Yes, Your Honor, but the Government
23 believes that it can be tried a week from Monday. I believe
24 an attempt could be made, hopefully successful, to serve in
25 person each one of these individuals. They would then be

1 flown at Government expense to the trial. If there's a
2 failure to obtain service or, as the Court pointed out, if the
3 person subpoenaed themselves attempts to quash the subpoena,
4 then that would be a bridge we would have to cross.

5 THE COURT: Right.

6 MR. QUINLEY: But, otherwise we could get personal
7 service on the individuals with documents, of course, subpoena
8 duces tecum that the Court authorizes. And, like I say, a
9 trial subpoena to testify, I think it's almost the Defendant's
10 right to summon people to court for his defense. We would get
11 them served and have them here on Monday, the 24th of
12 September.

13 THE COURT: Okay. From what I am hearing,
14 Mr. Johnson, I don't know the relevance of Elaine Duke being
15 subpoenaed here.

16 DEFT. JOHNSON: Okay. Again, I will go over it real
17 quickly. The relevance is that I don't need her as a witness,
18 okay? I just want to confirm that she sent somebody up to the
19 proceedings. I'm just trying to violate the proceedings. The
20 proceedings are probably going to be first spoken of by
21 Stephen Sherak. I would love to get Jackie Sherak, but I
22 don't know how to obtain her at the present time without
23 somebody helping me on due diligence to see if she would be
24 available, because she set up the escrow accounts, she set up
25 the hearing in the World Court, she was the one that worked

1 directly with Elliot Weisner.

2 THE COURT: Well, wouldn't Stephen Sherak have that
3 kind of information?

4 DEFT. JOHNSON: He would have a lot of that
5 information, but Jackie did most of this while he was
6 incarcerated.

7 THE COURT: Who's Jackie?

8 DEFT. JOHNSON: Jackie is his sister, Faith's
9 daughter.

10 THE COURT: She's not on your list.

11 DEFT. JOHNSON: I know she's not. She's one of the
12 ones I would have added, but I don't have any contact
13 information for her. All I have is her work. She's at Abu
14 Dhabi Commercial Bank in United Emirates. So, that's the only
15 place I can --

16 THE COURT: Well, if we can't find her, we can't find
17 her.

18 DEFT. JOHNSON: Yeah, I understand. If somebody
19 could speak with Faith or Stephen Sherak --

20 THE COURT: We are going to subpoena Faith and
21 Stephen Sherak.

22 DEFT. JOHNSON: I understand. But, if somebody could
23 contact them for information about Jackie, maybe Jackie could
24 be reached and Jackie could become a witness, because Jackie
25 could speak to things that Faith and Stephen could not speak

1 to. This is part of the due diligence problem I am having
2 from my facility. I don't have the ability to contact anybody
3 that could even speak with Stephen or Faith Sherak.

4 THE COURT: I don't see any need that Elaine Duke
5 needs to be subpoenaed. I think any evidence that she may
6 have could be obtained through other witnesses.

7 The Library of Congress, I don't know what you are
8 seeking there.

9 DEFT. JOHNSON: Kathy Hill --

10 THE COURT: If you are seeking a copy of the
11 judgment, you are saying Stephen Sherak has a copy.

12 DEFT. JOHNSON: I'm seeking a copy of the treaty that
13 the judgment was issued on. Kathy Hill supposedly has a copy
14 of it.

15 THE COURT: Hold on a second. You are giving him --
16 Didn't he have somebody that looked into that and said it
17 doesn't exist?

18 MR. QUINLEY: Right, the Library of Congress wrote
19 back and in a very detailed recitation said everything they
20 did to try to locate the treaty as identified by Mr. Johnson
21 and that taking all the steps that they took they can locate
22 no such treaty.

23 THE COURT: Have you given that information to
24 Mr. Johnson?

25 MR. QUINLEY: We will have a copy it and we will

1 provide it. Apparently we can only provide things at Marion
2 prison through a particular official there, otherwise we would
3 hand it to him today directly.

4 THE COURT: Can he take a look at it today and then
5 give it back to you and submit it to him --

6 MR. QUINLEY: Yeah, Brian, could you go print that
7 off?

8 THE COURT: Yeah, before he goes back.

9 MR. QUINLEY: My e-mail, okay?

10 THE COURT: So, I don't see any need -- There's been
11 an inquiry by this Reverend, I guess.

12 AGENT BIGHAM: Rudy Davis.

13 MR. QUINLEY: Rudy Davis. Reverend Rudy Davis on
14 behalf of Mr. Johnson forwarded his request to the Library of
15 Congress, and the Library of Congress responded.

16 THE COURT: Okay. So with the International Court we
17 are going to subpoena this Joan Donoghue.

18 This Michael Puckett. Again, what was his --

19 DEFT. JOHNSON: He claimed to have a copy of the
20 judgment. I don't know if the copy that he had was the copy
21 mailed out.

22 THE COURT: If you know where he is we will subpoena
23 him.

24 DEFT. JOHNSON: He's just at the regional office.

25 THE COURT: Okay. Faith and Stephen Sherak will be

1 subpoenaed. Elliot Weisner, who was an attorney employed by
2 Jackie Sherak --

3 DEFT. JOHNSON: Correct.

4 THE COURT: Okay. What's his relevance?

5 DEFT. JOHNSON: He did the due diligence on the
6 administrative procedures and the treaty. He has some
7 documents related to the proceedings in front of the World
8 Court. He would know names and dates and information related
9 to the proceedings.

10 THE COURT: Would he have a copy of the judgment?

11 DEFT. JOHNSON: He won't have a copy of the judgment,
12 that I'm aware of. He might. He would know that the judgment
13 exists. He would know -- He would have documents related to
14 the --

15 THE COURT: Where is he located?

16 DEFT. JOHNSON: He's in New Jersey, I believe.

17 THE COURT: Where?

18 DEFT. JOHNSON: New Jersey.

19 THE COURT: New Jersey. Okay. Let's try to subpoena
20 him.

21 I don't see any need for the Secretary of State,
22 Florida Motor, New Jersey, or the Deutsche Bank, Angela
23 Clemons.

24 DEFT. JOHNSON: Deutsche Bank, you don't believe?

25 THE COURT: No, you just can't -- you say the -- You

1 are talking about you believe that the Deutsche Bank set aside
2 so many billions of dollars in an escrow account for you,
3 right?

4 DEFT. JOHNSON: \$700,070,000 was deposited in an
5 escrow account to purchase this particular judgment in
6 question.

7 THE COURT: Do you know who?

8 DEFT. JOHNSON: Heiko Lotz.

9 THE COURT: Who?

10 DEFT. JOHNSON: Heiko Lotz was the employee.

11 THE COURT: Where is that person?

12 DEFT. JOHNSON: I don't know.

13 THE COURT: This is you -- You have --

14 DEFT. JOHNSON: I know you keep trying to put the due
15 diligence on me. I'm trapped in a box with no phone calls,
16 nothing.

17 THE COURT: I can't help that.

18 DEFT. JOHNSON: I know, but I believe the bank should
19 be requested for documents, because it's hard to obviously get
20 a bank to come to the hearing.

21 THE COURT: Who else would know that? How do you
22 know that? From one of your other witnesses?

23 DEFT. JOHNSON: Stephen and Jackie would know that.

24 THE COURT: Okay. They can testify to that, then,
25 all right? But I don't see any need to subpoena the Deutsche

1 || Bank.

2 Angela Clemons, again, had direct contact with
3 Stephen Sherak. He could testify as to timeline.

4 DEFT. JOHNSON: That's fine.

5 THE COURT: I'm not going to subpoena her.

6 || Postmaster General?

7 DEFT. JOHNSON: Not relevant for trial, Your Honor.

8 The documents would have been relevant, but --

9 THE COURT: Right; not relevant. And, of course,

10 William True and Kathy. So, if we can get those people here
11 by the 24th, get them subpoenaed, we will have a trial.

12 DEFT. JOHNSON: Ms. Hill is supposed to have a copy
13 of the treaty in question --

14 THE COURT: Okay.

15 DEFT. JOHNSON: -- from Senator Cory Booker.

16 THE COURT: Okay. If she has it she will bring it.

17 DEFT. JOHNSON: Okay.

18 MR. QUINLEY: Your Honor, it may help the efficiency
19 of the proceeding if we are all in agreement as to, even
20 though unexecuted, unfiled, whether or not this is -- with the
21 number handwritten on the top of it, whether or not that is,
22 in fact, the -- I say *the instrument* -- according to
23 Mr. Johnson ratified and made to have force of law by the
24 International Courts of Justice.

25 DEFT. JOHNSON: Correct.

1 THE COURT: So, it's the nine pages.

2 DEFT. JOHNSON: Nine pages.

3 MR. QUINLEY: It's the nine-page document. Do you
4 have any signed copy of it?

5 DEFT. JOHNSON: With my signature?

6 MR. QUINLEY: With your signature.

7 DEFT. JOHNSON: I may.

8 MR. QUINLEY: And, Your Honor, in the interest of
9 reciprocal discovery, I would ask that the Defendant produce
10 the one that he signed.

11 DEFT. JOHNSON: If I don't, I would be glad to
12 execute one for you.

13 THE COURT: What?

14 DEFT. JOHNSON: I said if I don't have one signed I
15 would be glad to execute one for you.

16 MR. QUINLEY: All the ones that have been sent all
17 over are unsigned.

18 THE COURT: Unsigned?

19 MR. QUINLEY: Yeah, and he just offered to sign it
20 now.

21 THE COURT: Okay.

22 MR. QUINLEY: So, yeah. But I was asking if there's
23 a historical --

24 THE COURT: Yeah, is there a historical signed
25 document?

1 DEFT. JOHNSON: I will check my records, because my
2 records have been trashed many times. If I have it I will be
3 glad to bring it, you know.

4 THE COURT: Okay.

5 DEFT. JOHNSON: No problem.

6 THE COURT: Okay. Anything else?

7 MR. QUINLEY: Now, the marshals will be serving the
8 subpoenas?

9 THE COURT: Yes.

10 MR. QUINLEY: If they can keep the parties apprised
11 of their progress.

12 THE COURT: We will need to get addresses and all
13 that stuff.

14 DEFT. JOHNSON: Mr. Sherak is in custody at least as
15 a supervised release. I don't know if a separate habeas needs
16 to be created for him, but --

17 MR. QUINLEY: So, not in custody, but under
18 supervision?

19 DEFT. JOHNSON: Yes.

20 MR. QUINLEY: Okay. So that will make it even
21 easier.

22 THE COURT: Yeah, that will make it easier.

23 DEFT. JOHNSON: In Philadelphia. I'm sure you guys
24 will find him.

25 MR. QUINLEY: I won't be looking for him, but the

1 marshals will.

2 THE COURT: Okay. Anything else? We will start on
3 the 24th.

4 MR. QUINLEY: Your Honor, when would you like jury
5 instructions to be submitted? By Friday?

6 THE COURT: Yes.

7 MR. QUINLEY: All right. We will submit those
8 directly to the Court and we will make arrangements to deliver
9 a set to Mr. Johnson.

10 THE COURT: Okay.

11 DEFT. JOHNSON: Am I going to be getting the informal
12 discovery request?

13 MR. QUINLEY: There are a couple of other things that
14 may or may not be pending before the Court, Your Honor.
15 Mr. Johnson filed a request for mental evaluation.

16 THE COURT: Oh, yes; yeah. The Court is going to
17 deny that. You know, just from this -- You want to argue
18 Mr. Quinley's mental state?

19 DEFT. JOHNSON: Well, look, if you want to dismiss
20 it, you dismissed it. My position is this is -- this absurd,
21 fanciful, lack of reality is a concern, but, you know, what
22 are we going to do.

23 THE COURT: Court's going to deny that.

24 MR. QUINLEY: In addition, Mr. Johnson referred to
25 informal discovery. He's conferred directly by letter with

1 Counsel. I have not responded, but some of the communication
2 was a definition for money, a definition for sovereign
3 citizen, a definition -- There were a number of requests for
4 me to define terms. I'm not responding to it. If Mr. Johnson
5 wants to make a motion to the Court, I would respond to the
6 Court.

7 There may be other things like that out there. I
8 think that's what he labeled informal discovery. But, as far
9 as the actual discovery, we have provided everything relevant
10 to the matter in the possession of the Government and,
11 frankly, anything that Mr. Johnson identified as relevant that
12 we did not originally have; for instance, the file -- the case
13 file of FBI Agent Steven Jeschke on the Sherak matter where
14 documents of Mr. Johnson's were seized from Mr. Sherak upon
15 his release from prison. And Mr. Sherak did not cooperate at
16 that time. No, we haven't gone back to Mr. Sherak, but Mr.
17 Sherak was not cooperative with Agent Jeschke. But, at any
18 rate, all the documents from that have been provided.

19 In addition, Your Honor, the Defendant by his
20 communications has had a number of YouTubes posted by Reverend
21 Rudy Davis and some others, and correspondence of his read --
22 We are attempting -- Actually, now we have the CDs of those
23 YouTubes that we have located and we are going to be
24 delivering those to the prison, as well. In one of those
25 YouTubes was the response of the Library of Congress.

1 THE COURT: Okay.

2 MR. QUINLEY: So, we will also get a copy of that
3 right now, and before -- with permission of security personnel
4 let Mr. Johnson read it here before he leaves.

5 THE COURT: Before they take him back.

6 MR. QUINLEY: So, unless Mr. Johnson -- Yeah, he had
7 the additional matter of informal discovery. I may have
8 forgotten or overlooked something, so --

9 DEFT. JOHNSON: I'll make it simple. I asked for
10 court records for the habeas proceeding, the bankruptcy
11 proceedings, and those were not part of the bill of
12 particulars. They were just informal request for court
13 records.

24 DEFT. JOHNSON: That's fine.

25 MR. QUINLEY: We are just going to provide -- You

1 know, like I say, I think in this case he already has it. As
2 a courtesy, if it's necessary, we can print it out.

3 DEFT. JOHNSON: That's an assumption again. I asked
4 for it, because I don't have complete records in regards to
5 those proceedings. Documents get stolen from me all the time
6 at this facility. I was put in the SHU as part of retaliation
7 for the bankruptcy filings. I had no access to copy machines.

8 THE COURT: We will get those documents. We will
9 print them out for you.

10 DEFT. JOHNSON: Okay.

11 MR. QUINLEY: We can print out the two proceedings.
12 And the bankruptcy proceedings, each of the two files which
13 are nearly identical, are very --

14 DEFT. JOHNSON: I asked for one.

15 MR. QUINLEY: You only need one?

16 DEFT. JOHNSON: The second one would be redundant.

17 MR. QUINLEY: It is redundant. Okay. So, we will
18 copy Mr. True's.

19 DEFT. JOHNSON: All right.

20 MR. QUINLEY: Okay. We will do that, Your Honor.

21 THE COURT: Okay. That will be all.

22 THE CLERK: All rise.

23 Court's adjourned.

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3 I certify that the foregoing is a correct transcript from the
4 record of proceedings in the above-entitled matter.
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/S/ Stephanie K. Rennegarbe
Certified Shorthand Reporter

09/24/2018